

FEDERAL BUREAU OF INVESTIGATION
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CI 44-2406

INDICES SUMMARY:

A review of Cincinnati Indices reflects that on 4/1/76, an LHM was submitted captioned "UNSUBS: Loss of Mail at Southern Ohio Correctional Facility; [REDACTED] - VICTIM, CIVIL RIGHTS", Cincinnati File [REDACTED]. Victim stated that he had not been receiving all of his mail while incarcerated at the Southern Ohio Correctional Facility, Lucasville, Ohio.

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On 11/23/77, a second LHM was submitted by the Cincinnati Division under caption, [REDACTED] Southern Ohio Correctional Facility, Lucasville, Ohio; [REDACTED] VICTIM, CIVIL RIGHTS", Cincinnati file [REDACTED]. In this matter, USA's office, Cincinnati, forwarded a letter to the Cincinnati Office from the victim dated 11/7/77, in which [REDACTED] alleges that due to negligence on the part of the subjects in their official capacity as employees of the Southern Ohio Correctional Facility Mailroom, his civil rights were violated.

On 3/15/78, a third LHM was submitted by the Cincinnati Division under caption, "JAMES A. RHODES, Governor, State of Ohio; ET AL; [REDACTED] - VICTIM, CIVIL RIGHTS", Cincinnati file 44-2406. In this matter, victim furnished a copy of 16 page document to the Cincinnati Division, the original being filed in United States District Court, Southern District of Ohio, Western Division, Cincinnati, Ohio. This document alleged numerous violations of victim's civil rights including discrimination against him because of race; discrimination in selecting site of prison facility; and lack of transportation afforded to visitors; inmate assignments; transfer policies; practices of discrimination against black employees in hiring and making promotions as well as alleging physical assault by guards at SOCF, on 2/16/77.

THEREFORE: PLAINTIFF PRAYS THAT THIS MOTION WILL BE ACCEPTED.

SERVICE & PROCESS VIA

U.S. MARSHAL FORM 285 ENCL.

RESPECTFULLY SUBMITTED,

[REDACTED]
[REDACTED] PRO SE
[REDACTED] P.O. BOX 45699
LUCASVILLE, OHIO 45699

STATE OF OHIO)
 SS:
SCIOTO COUNTY)

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[REDACTED] BEING DULY SWORN, AND SAYS THAT HE IS ONE OF THE PLAINTIFFS
IN THIS PROCEEDING, AND THAT THE SAME IS OF HIS HAND, AND THAT THE SAME IS TRUE
TO HIS KNOWLEDGE.

SWORN TO, AND SUBSCRIBED BEFORE ME, A NOTARY PUBLIC, THIS 7 DAY OF
~~MARCH~~
FEBRUARY, 1978.



NOTARY PUBLIC

TERRY L. MCGRAW
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES NOV. 2, 1982

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

[REDACTED] ET. AL.)
LUCASVILLE, OHIO 45699)
[REDACTED] P.O. BOX 45699)
INDIVIDUALLY, AND ON BEHALF OF)
ALL OTHER PERSONS SIMILARLY)
SITUATED,)

" ET "

CIVIL ACTION NO. _____

[REDACTED])
[REDACTED] P.O. BOX 45699)
LUCASVILLE, OHIO 45699)
INDIVIDUALLY, AND ON BEHALF OF)
ALL OTHER PERSONS SIMILARLY)
SITUATED,)

PLAINTIFFS

JUDGE _____

= VS =

COMPLAINT (JURY DEMANDED)

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JAMES A. RHODES,
GOVERNOR OF OHIO, ET. AL.
30 EAST BROAD STREET
COLUMBUS, OHIO 43215

" ET "

WILLIAM J. BROWN,
ATTORNEY GENERAL OF OHIO
30 EAST BROAD STREET
COLUMBUS, OHIO 43215

" ET "

[REDACTED]
[REDACTED] NORTH
COLUMBUS, OHIO 43215

" ET "

ARNOLD R. JAGO,
SUPERINTENDENT, SOUTHERN
OHIO CORRECTIONAL FACILITY
787 MINFORD RD.
LUCASVILLE, OHIO 45699

[REDACTED]
SOUTHERN OHIO CORRECTIONAL FACILITY
787 MINFORD ROAD
LUCASVILLE, OHIO 45699

" ET "

[REDACTED]
SOUTHERN OHIO CORRECTIONAL FACILITY
787 MINFORD ROAD
LUCASVILLE, OHIO 45699

" ET "

[REDACTED] GUARD,
SOUTHERN OHIO CORRECTIONAL FACILITY
787 MINFORD ROAD
LUCASVILLE, OHIO 45699

" ET "

[REDACTED] GUARD,
SOUTHERN OHIO CORRECTIONAL FACILITY
787 MINFORD ROAD
LUCASVILLE, OHIO 45699

" ET "

[REDACTED] GUARD,
SOUTHERN OHIO CORRECTIONAL FACILITY
787 MINFORD ROAD
LUCASVILLE, OHIO 45699

" ET "

[REDACTED]
SOUTHERN OHIO CORRECTIONAL FACILITY
787 MINFORD ROAD
LUCASVILLE, OHIO 45699

" ET "

[REDACTED]
SOUTHERN OHIO CORRECTIONAL FACILITY
787 MINFORD ROAD
LUCASVILLE, OHIO 45699
INDIVIDUALLY AND IN THEIR OFFICIAL
CAPACITIES,

DEFENDANTS,

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1. This action arises, but is not limited, under Title 42, U.S. Code Sections: 1981, 1983, 1985, 1986, 1988 and 2000 d-1 to redress the deprivation of Plaintiffs' rights by persons engaged in State action or acting under color of law, Statute, ordinance, regulation, custom or usage to deprive the Plaintiffs of rights, privileged and immunities secured by the Constitution and Laws of the United States.
2. The Ohio Department of Rehabilitation and Corrections Authorities in concert with State Officials thereby constituting State action have carried out a systematic program of DeJure Segregation affecting Plaintiffs' and the classes which they represent in violation of the Fourteenth Amendment of the United States Constitution.
3. That the defendants, herein specified, in concert with the Ohio Department of Rehabilitation and Corrections Authorities thereby constituting State action, has in their choice of prison site selections, construction and renovation of prisons, inmate assignment and transfer policies, and faculty, Officers, administrators, and Staff assignments, caused and perpetrated DeJure Segregation of Anglo Saxon Faculties, Officers, Administrators, and Staff within The Southern Correctional Facility, and thereby subjecting and causing Plaintiffs' and the classes they represent to be denied the Due Process and Equal Protection Rights, privileges, and immunities of the Fourteenth Amendment of the U.S. Constitution.
4. That the Defendants, herein specified, while acting under color of law and resulting State action have engaged in a natural and foreseeable pattern and practice of discriminating against Black employees in hiring and making promotions to Officer and Administrative positions thereby effecting the Plaintiffs and the respective classes in violations of acts of the U.S. Congress and the Fourteenth Amendment of the United States Constitution.

STATEMENT OF CLAIMS CONTINUED:

5. That the Defendants', herein specified, while acting under color of law and resulting State action and who have a duty to protect the welfare, Human and Civil Rights of Plaintiffs' and their respective classes, and to uphold the Laws of the U.S. Constitution and the State of Ohio. Did negligently fail and refuse to prevent or aid in preventing the commission of racial assaults upon plaintiff [] and the class he represents and that by failing to exercise the power to prevent or aid in preventing the commission of illegal acts and denial of Human Rights, did subject or cause plaintiff [] and his class to be subjected to the deprivation of Human rights, privileges, and immunities secured to the Plaintiff, and the class of which he is a member, by the First, Fifth, Ninth, and Fourteenth Amendments and the Preamble of the United States Constitution.

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II. JURISDICTION

6. Jurisdiction of this Court is invoked pursuant to the provisions of Title 28, United States Code, Sections: 1331 and 1343; TITLE 42 U.S. Code, Section 2000d-1.

III. PARTIES

7. Plaintiff [] being of African and American Indian descent is a citizen of the United States and is a prisoner of the State of Ohio, and he is confined at the SOUTHERN OHIO CORRECTIONAL FACILITY, LUCASVILLE, OHIO, AND represents those inmates of African and American Indian descent at S.O.S.F. whom have been subject to Racist assaults and effects due to their Race, Color, Creed or National Origin.

8. Plaintiff [] being of African descent is a citizen of the United States and is a prisoner of the State Of Ohio and is confined at the Southern Ohio Correctional Facility, Lucasville, Ohio, and represents those inmates at S.O.C.F. whom are subject to Racist assaults and effects of DeJure segregation at S.O.C.F. due to their Race, Color, Creed, or NATIONAL ORIGIN.

9. Defendant JAMES RHODES was GOVERNOR of the State of Ohio during the site selection of S.O.C.F. and at all times mentioned in this complaint.

10. Defendant BROWN was Attorney General of the State of Ohio at all times mentioned in this complaint.

11. Defendant [] is []

[] at all times mentioned in this complaint.

12. Defendant A.R. JAGO, was Superintendent of the SOUTHERN OHIO CORRECTIONAL FACILITY at all times mentioned in this complaint.

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13. Defendants [] AND [] are Anglo-Saxon Officers at S.O.C.F. at all times mentioned in this complaint.

14. The Defendants [] are ANGLO-SAXON GUARDS at S.O.C.F. at all times mentioned in this complaint.

15. Defendants [] and [] are ANGLO-SAXON [] and [] respectively at S.O.C.F. during all times specified in this complaint.

IV. FACTS -

16. On or about the 26th., day of July, 1976, Plaintiff [] commenced a civil rights act of 1964 cause of action against the herein defendants JAGO and [] and filed said action in the U.S. District Court-Southern District of Ohio [] VS [] C I 76-422)

17. As a result of several threats against [] by S.O.C.F. Guards for his having filed said lawsuit, [] on November 12, 1976 filed a motion before Judge David S. Porter, of said District Court seeking a protective order against the defendants therein.

18. On November 16, 1976 JUDGE PORTER denied [] Motion for the protective order and on January 11, 1977 dismissed [] said lawsuit against the therein [] and Jago.

19. On February 16, 1977, defendants [] and [] without probable cause and justification, approached [] cell and ordered him out of the same.

20. [] was then ordered by [] to proceed out of the Block to an unknown designation.

STATEMENT OF CLAIMS CONTINUED:

IV. FACTS

21. While [] was following orders, defendant [] being directly in back of [] and being unprovoked, cowardly suckerpunched [] and thereby knocked [] prescription corrective lenses from [] head to the concrete tile floor.

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22. Defendant [] seconds later then grabbed Plaintiff [] by the hair and while attempting to forcibly pull out [] African hair style, informed the plaintiff that: "NIGGER, WE'RE GOING TO TEACH YOU A LESSON ABOUT FILING LAWSUITS".

23. That while defendant [] was forcibly pulling at the back of [] hair, defendants [] and [] began to club [] with nightsticks, and continued to beat [] over his head, and further forcibly drove said nightsticks into [] lower back.

24. That as defendant [] pushed [] toward the disciplinary unit, defendant [] then sought a knife, from Defendants [] and [] for the purpose of cutting off Plaintiff [] African hairstyle.

25. Defendant [] then informed Plaintiff [] That: "WHEN WE GET FINISH WITH YOUR NIGGERASS, YOU'LL WISH THAT YOU'RE ON THE PLANTATION PICKING COTTON".

26. Said assault was stopped when defendant [] informed defendants [] and [] that witnesses were observing the assault upon the plaintiff []

27. [] was then placed in the discipline Isolation unit for eight days of investigation of unknown charges and further denied a blanket, pillow, entire and complete meals, and cell privileges as accorded by Administrative Regulations of the Ohio Department of Rehabilitation and Corrections.

28. On or about the 18th., day of February, 1977, [] requested to see [] and also obtain skull X-Rays due to noticable sight impairment and an increase in headaches. Said request was denied by the S.O.C.F. Medical Department.

29. On or about the 21st., day of February, 1977, [] noticed a pain in the lower part left portion of his back, and the increasing of pain during urination. Again [] requested to see [] and again was denied by the Medical Department

STATEMENT OF CLAIMS CONTINUED:

IV.

Page 3

30. On or about the 23rd., day of February, 1977, [] wrote an Institutional Communication to Defendant Jago, informing him of the Racist Assault upon [] person, and the return of the aforementioned, [] corrective prescription lenses, which were necessary to arrest a visual ailment that afflicted [] vision. Pursuant to S.O.C.F. Policy [] also requested to take an available Polygraph Test for the purpose of verifying his version of the aforesaid assault. To-Date, Defendant Jago has refused to return [] corrective lenses or grant [] the requested Polygraph test.

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31. During the weeks preceeding said Racial assault, [] experienced increased daily urination with pain, and increase of numbness in his arms, legs, toes, and fingers plus impairment(increased) of his mental thought processes.

32. On or about March 16, 1977, [] was given medication for his urine problem only, and when he inquired about the Medical term, and name of the medication given him for treatment, he was told by a Medical Department Nurse, that said Dept. did not have to inform inmates of treatment or the type of medication given.

33. On April 1, 1977, Defendant [] received from [] a letter requesting a polygraph Test to verify the aforesaid Racist assault and again requested the return of his aforementioned prescription lenses. [] also informed Defendant [] that his communications to defendant [] were unanswered and treatment denied. To-Date defendant [] has refused to answer said letter.

34. On or about the 23rd., day of May, 1977, [] wrote to defendant [] requesting treatment for a.) probable Brain Damage; b.) vision difficulties; c.) increased urination and d.) increased numbnesses in outer extremities. To-Date, defendant [] has refused to answer said letter or render treatment to the ailments listed therein.

35. On or about June 29, 1977, defendant [] informed [] that he had been assigned to transport [] to Akron, Ohio pursuant to a Writ of Habeas Corpus issued by a U.S. Federal Court in Cleveland, Ohio.

STATEMENT OF CLAIMS CONTINUED:

IV.

FACTS

36. On June 30, 1977 while defendant [] was transporting [] defendant [] during a Guard rest stop, approached [] and stated: "JUNGLEBUNNY, EITHER YOU DROP THAT LAWSUIT OR BE DROPPED". Said statement was made by defendant [] as he partially withdrew his gun from his holster.

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37. At the time, both of the Racial/Reprisal Assault and the threat of item No. 36. occurred, the aforementioned case of [] VS ~~UNITED STATES~~ [] was pending on appeal in the United States Court of Appeals for the Sixth Circuit and had been so pending since January 16, 1977, [] VS [] 77-3024 (6th Cir)

38. Due to the fact that plaintiff's [] and [] and members of their respective classes are not permitted to wear African hairstyles on visits with their families and or/ Attorneys, due to one of the many unpublished rules at S.O.C.F., plaintiff wrote defendant [] on August 27, 1977, requesting defendant [] to clarify if such a rule existed, prohibiting the plaintiffs from wearing African hairstyles on family and Attorney visits. To-Date, defendant [] has refused to address the matter and plaintiffs and their respective class are still prohibited from wearing African hairstyles to and from visits.

39. On December 25, 1977, [] wrote to defendant Rhodes requesting that he assist [] in obtaining much needed Medical Treatment for the probable brain damage that [] now has. As similar to his agent's [] defendant Rhodes refused to assist plaintiff [] in obtaining Medical treatment.

40. That defendant BROWN does have knowledge or should have know that Guards and Officers, at S.O.C.F., are committing Racial Assaults with clubs upon the plaintiffs or have the racists propensities to commit such unprovoked assaults.

STATEMENT OF CLAIMS CONTINUED:IV. FACTS

POSITIONS	ANGLO-SAXON	BLACKS
COMMISSARY	100 %	.0 %
HOSPITAL	99.9 %	.07 %
SCHOOL	99.9 %	.08 %
SOCIAL WORKERS	99.8 %	.14 %
TOTAL (INMATES EXCLUDED)	99.7 %	.29 %

V. LEGAL CLAIMS

45. The facts heretofore related, disclose that the defendants, herein specified, in concert with the Ohio Department of Rehabilitation and Corrections Authorities thereby constituting State Action, have in their choice of Prison site selections, construction and renovation of prisons, inmate assignment and transfer policies, and faculty, Officers, Administrators, and Staff assignments, and as the result of natural and foreseeable consequences did cause and continues to perpetrate DeJure Segregation in hiring, which subjects Plaintiff [REDACTED] and the class of which he is a member and targets Plaintiff [REDACTED] and the class of which he is a member, to continued Racial Assaults and club beatings as the result of Racist propensities, & Racial reprisals against any class member whom seeks to exercise his right to petition the Government for redress of grievances, as said racial assaults are committed by the named defendants, their agents and associates whom are inadequately trained in the usage of clubs, thereby substantially increasing the risk of death, injuries, disfigurement, physical and mental disability which subjects and causes plaintiffs herein to be subjected to the deprivation of Life, Liberty and their property without due process and equal protection of the Laws of the U.S. Constitution and any act of Congress.

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VI. FIRST CAUSE OF ACTION

46. Defendants Rhodes, [] and Jago in the face of Natural and foreseeable consequences did cause and or continues to perpetrate DeJure Segregation in hiring practices, prison site selections, failure to include any Racial criteria in determining site selection of the Southern Ohio Correction Facility, Lucasville, Ohio and as a result thereof have denied plaintiffs [] and [] [] and the classes they are members of, of the full and equal benefit of all laws and proceedings for the security of persons and property as is enjoyed by white citizens, whereas such discriminatory policies and practices of defendants Rhodes, [] and Jago are based upon Race, Color, Creed, and National Origin have operated to deny the plaintiffs like punishments, pains, and penalties as enjoyed by white citizens and in violation of Title 42 U.S. Code, Section 1981.

47. Defendants Rhodes, [] and Jago, while acting under color of Law, and pursuant to State Action by perpetrating, designing and continuing DeJure and or DeFacto Segregation and discriminatory policies, vestiges and practices have resulted in segregated patterns of prison selection sites and as a result, therefrom have produced other forms of discrimination and segregation which subject or causes the plaintiffs and classes to be subjected to the deprivation and denial of equal opportunity and the exercise of their unalienable rights to Life, Liberty, the pursuit of Happiness, and Human rights secured to the plaintiffs by the preamble and Ninth Amendments of the U.S. Constitution.

48. Defendants Rhodes, [] and Jago while acting under color of Law and resulting State Action have failed to control, train, instruct their Guards, Officers, and Staff at the Southern Ohio Correctional Facility, in the usage of deadly and lethal clubs and nightsticks, which further condoning and acquiesce of non-training and control did subject and cause plaintiff [] to be subjected to the deprivation & denial of rights, privileges, and human rights, as secured to Weaver, and the class of which he is a member, by the preamble, Fifth, and Ninth Amendments of the U.S. Constitution.

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49. Defendants [] & [] while acting under color of Law, did commit and unprovoked and unnecessary forceful Racists Assault upon plaintiff [] and thereby constituted a direct punishment without due process of Law and did further subject plaintiff [] to the deprivation of rights, privileges, immunities and human rights secured to [] by the provisions of the preamble, Fifth, Sixth, Eighth and Ninth Amendments of the U.S. Constitution and Title 42 U.S. Code, Section 1983: 18 U.S.C., Sec. 242.

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50. That as a result of [] having commenced a judicial proceeding against their employer, Supervisor and Associates, Defendants [] and [] did endeavor to obstruct justice with the intent to subject or cause [] to be subjected to the deprivations of rights, privileges, and immunities secured to the plaintiff by the First, Fifth, and Ninth Amendments of the U.S. Constitution and further in violation of Title 42 U.S. Code, Section 1985, Sub-Section 2 & 3.

51. Defendants [] and [] did conspire for the purpose of hindering, impeding, obstructing, or defeating the due course of Justice in the United States Court of Appeals for the Sixth Circuit, with intent to deny to plaintiff [] the equal protection of the Laws in violation of Title 42 U.S. Code, Section 1985 (2). Further by their aforesaid actions, the defendants did conspire to deter, by force, intimidation or threats to [] a party in the U.S. Court of Appeals for the Sixth Circuit and injure said party in his person on account of his having commenced an action against their associates and Supervisors, and exercising his right as a United States Citizen, with intent to deny to [] the equal protection of Laws in violation of Title 42 U.S. Code, Section 1985 (2 & 3), and Title 18 U.S. Code, Sec., 1503.

52. Defendants [] and [] while acting under color of Law and State Action have intentionally refused to give or assist in giving Plaintiff [] the treatment necessary to cure or treat the Brain and Thought Process Damage which Plaintiff continues to suffer as the result of a Racist and reprisal assaults and further continues to deny [] treatment for other resulting physical injuries brought to their attention and thereby subjects or causes [] to be subjected to the deprivation of rights, privileges and human rights secured by the fifth, Ninth, Amendments and preamble of the U.S. Constitution and in violation of Title 42 Code, Sec. 1983.

53. Defendants Rhodes, and Brown by virtue of their duties to cause the Law to be faithfully executed, while acting under color of Law and having knowledge that persons of African Descent, at the Southern Ohio Correctional Facility, are subject to Racial Assaults and reprisals for commencing Legal actions against S.O.C.F.'S Officials, and having power to prevent or aid in preventing the aforesaid assaults and reprisals and illegal acts herein stated did subject or cause the herein plaintiffs to be subject to the deprivation of rights, privileges, and immunities secured to the plaintiffs by the First, Fifth, Eighth, and Ninth Amendments of the U.S. Constitution and in violation of Title 42 U.S. Code, Section 1986.

54. Further, that under paragraphs numbered 2,3,4,5, 46, 47, 48, 49, 50, 51, 52 and 53 stimulated the evoking of the Fourteenth Amendment of the United States Constitution, in that they (paragraphs) denied equal protection and Due Process of Law guaranteed to the plaintiffs and classes, that are granted to and enjoyed by others of different Races under the U.S. Constitution.

55. The plaintiffs incorporated herein by reference, all the statements and allegations made in paragraphs 2,3,4,5,46,47,48,49,50,51,52 and 54 paraphrased as if the same were fully rewritten herein.

RELIEF

WHEREFORE: Plaintiffs respectfully parays this Court to advance this case on the Docket, Order a speeding Hearing at the earliest practicable date, cause this case to be in every way expedited and upon such Hearing:

1. Have a permanent injunction issue enjoining Defendants Rhodes, [REDACTED] Jago, the Ohio Department of Corrections & Rehabilitations, their Agents, Successors, Employees, Attorneys, and those acting in concert with them and at their direction from continuing or maintaining the policy, Practice, custom, usage and vestiges of discrimination against the plaintiffs and all others similarly situated because of their Race, Color or National origin.

2. Have permanent injunction issue enjoining defendants Rhodes, [REDACTED] Jago, the Ohio Department of Rehabilitation & Corrections, their Agents, Successors, Employees, Attorneys and those acting in concert with them and at their direction from continuing or maintaining the Policy, Practice, Custom, Usage and Vestiges of Discrimination in denying Afro-Americans job ~~APPLICATION~~ applicants at S.O.C.F., the opportunity for employment and promotion to Administrative and Supervisory positions because of their Race, Color, or National Origin.

3. Have a permanent injunction issue enjoining defendants Rhodes, [REDACTED] Jago, the Ohio Department of Rehabilitation & Corrections, their agents, successors, employees, Attorneys, and those acting in concert with them and at their direction from: (A) locating Prisons in such a manner as to minimize or totally exclude the prospect of achieving maximum integrated administrators & staff and limits the Afro-American labor Pools: (B) developing prison site selection criteria which has not considered Racial criteria: (C) continuing to select sites for prisons in Racially impacted areas.

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RELIEF CONTINUED:

4. Order that defendants Rhodes, [REDACTED] Jago, the Department of Rehabilitations & Corrections, their Agents, Succoressors, Employees, Attorneys, and those acting in concert with them and at their direction to develop immediately an affirmative action program for the advancement of its Afro-American employees to supervisory positions and further to immediately impliment an affirmative action program to recruit, Hire, Employ, Upgrade and assign all Afro-American job applicants for Administration, Guards, Officers, Social Workers, Teaching, Secretarial, Clerical, Food Service, Hospital, Maintenance, and all other positions classifications within the table of Organization at S.O.C.F..

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5. Order that Defendants Rhodes, [REDACTED] Jago, the Ohio Department of Rehabilitation & Corrections, their Agents, Successors, Employees, Attorneys, and those acting in concert with them and at their direction to: (A) immediately modify and relocate Guards, Officers, Administrators, Social Workers, and all other position classifications within the table of organization at S.O.C.F. as an affirmative action program step toward the achievement of a ratio of Afro-American position classification Staff to total position classification Staff that approaches and reflects the ratio of Afro-American inmates to the total inmate population at S.O.C.F.; (B) Require psychological testing for all present and future S.O.C.F. Administrators, Guards, Officers, and Staff for determination and identification of such individuals whom are afflicted with or retain RACISTS PROPENSITIES, and to compel each individual having such Racist propensities to resign or in the alternative to undergo psychoanalysis to correct said DISEASE.

RELIEF CONTINUED:

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6. Order the defendants Rhodes, [REDACTED] Jago, the Ohio Department of Rehabilitation & Corrections, their Agents, and Successors, to purchase Thirteen (13) Crown International or General Motors Delux Coaches (BUSES) which will provide daily round-trip ~~FREE TRAVEL~~ too and from S.O.C.F. for family and friends of the plaintiffs and all others similarly situated as a result of being transferred, relocated and removed from their family, friends, ethnic backgrounds and culture. Further, that the number of two (2) each such Buses be assigned for travel in the following cities of the State of Ohio: CINCINNATI, CLEVELAND, COLUMBUS, DAYTON, TOLEDO, and YOUNGSTOWN, with one (1) such said Bus being assigned to Portsmouth, and that said defendants provide drivers, service, and maintenance to said Buses to assure daily travel.

7. Enter judgement against Defendants [REDACTED] Jago, [REDACTED] [REDACTED] and [REDACTED] jointly and severally in the amount of ONE HUNDRED THOUSAND and EIGHTY-FIVE DOLLARS (\$ 100,085.00) compensatory damages and the amount of TWO HUNDRED TWENTY FIVE THOUSAND DOLLARS (\$ 225,000.00) as punitive damages, which will be deposited into the S.O.C.F. Inmate Industrial & Entertainment Fund and used solely to provide assistance in the purchasing, and upkeep, and maintenance of the aforesaid Buses; and for such other relief to which the plaintiffs and all others similarly situated are entitled to in Law or equity.

ADDITIONAL RELIEF

8. Order that Defendants Rhodes, [REDACTED] Jago, [REDACTED] their agents, successors and employees immediately provide and arrange for plaintiff [REDACTED] to be tested with the "REITAN-HALSTEAD" Battery Test to determine Brain damage incurred as a result of the heretofore stated assault and to ~~EXHIBIT~~ further provide Diagnosis and Treatment of possible KIDNEY, Nerve-Ending and Vision damage which plaintiff [REDACTED] now suffers.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

[REDACTED] ET.AL. VS RHODES, ET.AL.,

CAUSE: COMPLAINT

AUTHORITYS: TITLE 42 UNITED STATES CODE SECTION 1983

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RESPECTFULLY SUBMITTED,

[REDACTED]
[REDACTED] P.O. Box 45699
Lucasville, Ohio 45699

[REDACTED]
[REDACTED] P.O. Box 45699
Lucasville, Ohio 45699

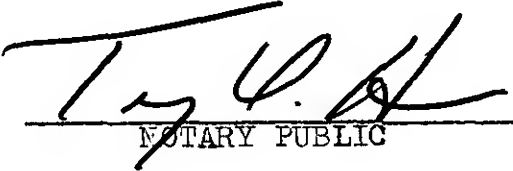
[REDACTED] BEING DULY SWORN, DEPOSES AND SAYS THAT HE IS
ONE PLAINTIFF, IN THE FOREGOING "COMPLAINT" AND IS NOT PERMITTED
TO REVIEW WITH OR PERSONALLY OBTAIN THE SIGNATURE OF PLAINTIFF

[REDACTED] FURTHER SAYS THAT THE "COMPLAINT" IS TRUE TO HIS
KNOWLEDGE EXCEPT FOR THOSE PORTIONS ALLEGED TO BE ON INFORMATION
AND BELIEF, AND AS TO THOSE, HE BELIEVES THEM TO BE TRUE.

TERRY L. MCGRAW
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES NOV. 2, 1982

SWORN TO AND SUBSCRIBED BEFORE ME,

A NOTARY PUBLIC, THIS 7 DAY OF March, 1978.


NOTARY PUBLIC

TERRY L. MCGRAW
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES NOV. 2, 1982

44-2172-1

[REDACTED]
[REDACTED] P.O. Box 45699
LUCASVILLE, OHIO 45699

MARCH 8, 1978

[REDACTED]
SPECIAL AGENT
FEDERAL BUREAU OF INVESTIGATION
400 U.S. POST OFFICE
CINCINNATI, OHIO 45202

Dear [REDACTED]

I am enclosing a copy of a lawsuit I recently filed in the U.S. District Court in Cincinnati, Ohio.

I understand that your office has talked to many individuals whom have been subjected to racist assaults at Lucasville, and would appreciate:

- 1.) knowing whether you have yet recommended that the U.S. Attorney or the Department of Justice intercede pursuant to Title 18 U.S. Code, Sec. 241 & 242;
- 2nd) if it is possible may I have a list of inmates whom have reported S.O.C.F. guard assaults to you, and the names of the guards involved in assaults on inmates. I'm sure that a close examination will show a consistency and pattern.

P.S. Just for the record
I am not suicidal prone.

Very truly,
44-2401 [REDACTED]

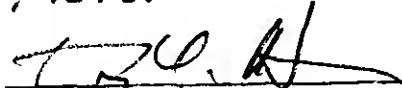
6-3-78
Date 3/5/78
[REDACTED]

SEARCHED INDEXED
SERIALIZED FILED
MAR 13 1978
FBI - CINCINNATI

b6
b7c

I, TERRY MCGRAW DO ACKNOWLEDGE
THAT THE FOREGOING LEGAL DOCUMENT
IS A TYPEWRITTEN VERSION AND COPY
OF THE HANDWRITTEN ORIGINALS
WHICH I NOTORIZED ON THE 13TH
DAY OF FEBRUARY, 1978.

DATE: 3/7/78


TERRY MCGRAW

TERRY L. MCGRAW
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES NOV. 2, 1982

P.O. Box 1277
Cincinnati, Ohio 45201
March 14, 1978

[redacted]
[redacted]
Southern Ohio Correctional Facility
Lucasville, Ohio 45699
[redacted]

b6
b7c

I am in receipt of your letter dated March 8, 1978, which enclosed a copy of a motion which you recently filed in the U.S. District Court, Southern District of Ohio, Cincinnati, Ohio. In response to your questions contained in your accompanying letter, this is to advise you that the FBI does not make any recommendations as such to the U.S. Attorney with respect to initiating investigation pursuant to Title 18, U.S. Code, Section 241, 242. As you have previously been advised by this Division with respect to violation of individual civil rights, the FBI does conduct an investigation, and submits the results of same to the Civil Rights Division, U.S. Department of Justice, Washington, D.C. In view of the fact that you have already filed a motion in U.S. District Court, Cincinnati, I am taking the liberty of forwarding the copy you sent to this office to the U.S. Department of Justice, Civil Rights Division, for whatever action is deemed advisable by that Division.

With respect to your second query concerning a list of inmates who may have reported assaults by personnel at the Southern Ohio Correctional Facility, I am unable to furnish you this information inasmuch as the FBI does not maintain a retrieval system where this information can be readily obtained.

Sincerely,

THOMAS W. KITCHENS, JR.
Special Agent In Charge

By:

[redacted]
Supervisory Special Agent

1 - Addressee
1 - Cincinnati (44-NEW)

WRM:jms (2)

44-2426-3
Searched ☒
Serialized ☒
Indexed ☒
Filed ☒

lin

Cincinnati, Ohio
March 15, 1978

RE: JAMES A. RHODES,
GOVERNOR, STATE OF OHIO;
ET AL:
[REDACTED] - VICTIM

b6
b7C

On March 13, 1978, the following communication
was received from [REDACTED] Inmate, Southern Ohio
Correctional Facility (SOCF), Lucasville, Ohio:

- 4 - Bureau
- 1 - USA, Cincinnati
- 1 - Cincinnati (44-NEW)

WRM:jms
(6) ✓

THIS DOCUMENT IS UNCLASSIFIED
ON 08/14/2001 BY 60322 UCBAW/STP/STP
THE FBI. IT IS THE PROPERTY OF THE
FBI AND IS LOANED TO YOUR AGENCY.
IT AND ITS CONTENTS ARE NOT TO BE
DISTRIBUTED OUTSIDE YOUR AGENCY.

44-2406-4

[Handwritten signature]
to *[Handwritten signature]*
from *[Handwritten signature]*

[Handwritten signature] *[Handwritten initials]*

On March 13, 1978, an Agent of the Federal Bureau of Investigation (FBI) determined that [REDACTED] had filed the above-described document with the U.S. District Court in Cincinnati, Ohio, Case Number 78-108.

b6
b7C

F B I

Date: 3/15/78

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Precedence)

To: Director, FBI

ATTENTION:

- ☒ GENERAL INVESTIGATIVE DIVISION
☐ CIVIL RIGHTS SECTION
☐ CRIMINAL SECTION
☐ INTELLIGENCE DIVISION

From: SAC, ~~CINCINNATI~~ (44-NEW) (C)Subject: JAMES A. RHODES, Governor, State of
Ohio; ET AL; [REDACTED]

- VICTIM

- ☒ CR ☐ EL ☐ DIH ☐ CRA-64
☐ PA ☐ PE ☐ PF ☐ E
☐ DAMV ☐ DAMV-FR ☐ CAA
☐ AP ☐ IWFC ☐ CWA ☐ FI
☐ EID ☐ Bomb Threats ☐ Extremist Matters
☐ White Hate ☐ Black

Summary of Complaint:

Victim furnished copy of 16 page document to Cincinnati Division, the original being filed in USDC, SDO, Western Division, Cincinnati, Ohio. This document alleges numerous violations of victim's civil rights, including systematic discrimination against him because of the fact that he is a Negro; discrimination in selecting site of construction of prison facility, and lack of transportation afforded to his visitors; inmate assignments and transfer policies and practice of discrimination against black employees in hiring and making promotions. On page 5 of this document, victim

INDICES: ☐ Negative ☒ See Summary

ACTION: UACB:

- ☒ No further action being taken and
☒ LHM enclosed
☐ FD-376 (Enc. to LHM)
☐ LHM being submitted
☐ Report being submitted
☐ Preliminary investigation instituted
☐ Limited investigation instituted
☐ Investigation continuing

2 - Bureau
 (Enc. - 4)
 1 - Cincinnati
 WRM:jms
 (3)

Copy to:

- ☐ USA
☐ Secret Service
☐ ATE

Serialized

Indexed

Filed

Approved: _____ Sent _____ M Per _____
 Special Agent in Charge

b6
b7c

CI 44-NEW

alleges that he was physically assaulted by guards at Southern Ohio Correctional Facility (SOCF) on 2/16/77 in retaliation for filing a motion in USDC in which he had sought a protective order against personnel at SOCF.

By separate communication, Cincinnati is acknowledging receipt of document, and advised victim to direct any further inquiries concerning this matter to the Civil Rights Division, U.S. Department of Justice, Washington, D.C.

On 3/13/78, it was ascertained through contact with the clerk of the USDC that victim's motion has been filed with that court, Case #78-108.

UACB, Cincinnati is holding investigation concerning allegation of brutality in abeyance pending review of enclosed document by Civil Rights Division, U.S. Department of Justice, Washington, D.C.

CI 44-NEW

INDICES SUMMARY

Review of Cincinnati indices reflects that on 4/1/76, an LHM was submitted captioned, "UNSUBS; LOSS OF MAIL AT SOUTHERN OHIO CORRECTIONAL FACILITY; [REDACTED] - VICTIM, CR," CI file [REDACTED] Victim stated that he had not been receiving all of his mail while incarcerated at SOCF, Lucasville, Ohio.

On 11/23/77, a second LHM was submitted by Cincinnati under caption, [REDACTED] SOUTHERN OHIO CORRECTIONAL FACILITY, LUCASVILLE, OHIO; [REDACTED] - VICTIM, CR," CI file [REDACTED] In this matter, USA's Office, Cincinnati, forwarded a letter to the Cincinnati Office from the victim dated 11/7/77, in which [REDACTED] alleges that due to negligence on the part of the subjects in their official capacity as employees of SOCF mail room, his civil rights were violated.

Bureau's attention is called to the fact that in this communication sent by way of the USA's office [REDACTED] made no mention of brutality on the part of the guards at SOCF, which in enclosed document he notes occurred on 2/16/77.

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b7C

(Mount Clipping in Space Below)

Courts**Rights Complaint Countered**

In a document filed in Cincinnati's federal court, Ohio prison authorities admit little consideration was given to the racial makeup of the Lucasville area when the Southern Ohio Correctional Facility was built there a few years ago.

But they said if the inmates objected to the location for that reason, they should have filed an injunction to block construction before the facility was built.

The prison officials raised this argument in a motion asking U.S. District Court to dismiss a civil rights complaint filed by convicts Dennis L. Weaver and Samuel Bernard Jr. on behalf of all inmates of African and Indian descent.

Their suit, filed June 15, alleged the prison's location in a white-populated rural area resulted in the hiring of a nearly all-white staff insensitive to the cultural differences and problems of a predominantly black inmate population.

WEAVER AND Bernard, both serving life sentences in Ohio's only maximum-security institution, said the situation has hampered prospects for rehabilitation among black prisoners when they are released.

"There is no question that when the site was selected that little con-

sideration was given the ethnic makeup of the neighboring populace because at that time racial undertones had not begun to surface as they subsequently have done," the prison officials said.

"It appears to defendants that any grievances caused by the location at Lucasville should have been foreseen by the maximum-security prisoners of that era and injunctive efforts taken to halt its construction."

Their response, submitted this week by Ohio Assistant Attorney General Leo J. Conway, maintains no constitutional violation was involved in the site selection.

THE RESPONSE noted that none of the current prison officials named as defendants had anything to do with the site selection.

It also said the plaintiffs failed to show any bad faith in Lucasville hiring practices.

"In fact, they acknowledge the practical difficulty involved in hiring black custodial personnel in an area where the black work force is extremely small," the response said. "Lastly, defendants ask the court to dismiss the case based upon the fact that plaintiffs' claims are patently frivolous."

—BOB WESTON

(Indicate page, name of newspaper, city and state.)

C4 Cincinnati
Enquirer
Cincinnati, Ohio
Cincinnati Post
Cincinnati, Ohio
Citizens Journal
Columbus, Ohio
Columbus Dispatch
Columbus, Ohio
Journal Herald
Dayton, Ohio
Dayton Daily News
Dayton, Ohio

Date: 7/14/78

Edition: Final

b6

b7C

Title

Character: 44-2406-6
or 44-2011

Classification:

Submitting Office CINCINNATI

SEARCHED	INDEXED
SERIALIZED	FILED
JUL 17 1978	
FBI - CINCINNATI	
FBI DO	

20. 7/17/78

[redacted]
[redacted] P.O. Box 45699
Lucasville, Ohio 45699

August 21, 1978

[redacted]
Department of Justice
Federal Bureau of Investigation
400 U.S. Post Office
Cincinnati, Ohio 45202

b6
b7C

RE: [redacted] v Rhodes, C-1-78-369 and
[redacted] C-1-78-108
v [redacted] C-1-78-362
(S.D. Ohio)

Dear [redacted]

I am writing you at this time to request an interview with either you or one of your agents, to discuss the harassment and obstruction of justice in violation of Title 18 U.S. Code, Sec. 1503, as a result of my having commenced the above-entitled cases. I am aware, that recourse should be made to the district court, however, said court has shown a reluctance to prevent harassment of its penal litigants.

It is therefore hoped that I will see either you or an agent from your office as soon as possible.

Very truly,
[redacted]

P.S. The outer envelope will be a carbon of my signature.

*Because of the fact
that I have a racial
discrimination suit in
various Ohio State officials.
I would appreciate seeing
an agent of African descent.
D.S.W.*

[Handwritten signature]
(B)

74-2406-7

SEARCHED INDEXED
SERIALIZED FILED

1978 AUG 23

FBI - CINCINNATI

[Handwritten notes and signatures]

b6
b7C

[REDACTED]
[REDACTED]
P.O. Box 45699
LUCASVILLE, OHIO 45699



[REDACTED]
[Handwritten signature]

[Faint, illegible text, possibly a return address or additional postmark]

Post Office Box 1277
Cincinnati, Ohio 45201
September 5, 1978

[Redacted]

Southern Ohio Correctional Facility
Lucasville, Ohio 45699

Dear [Redacted]

I am in receipt of your letter dated August 21, 1978, which was addressed to [Redacted] Federal Bureau of Investigation, Cincinnati, Ohio. As you have previously been advised by the Cincinnati Division of the FBI with respect to violation of individual Civil Rights, a copy of your letter mentioned above will be forwarded to the United States Department of Justice, Civil Rights Division, Washington, D. C., for whatever action it deems advisable by that division.

Should you have any further questions concerning this matter, please forward all inquiries to the Civil Rights Division, United States Department of Justice, Washington, D. C.

Very truly yours,

THOMAS W. KITCHENS, JR.
Special Agent in Charge

By: [Redacted]
Supervisory Special Agent

1-Addressee
1-Cincinnati (44-2406)

RMM:pl
(2)

44-2406-8
Searched.....
Serialized.....
Indexed.....
Filed.....

b6
b7C



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Cincinnati, Ohio
September 5, 1978

In Reply, Please Refer to
File No.

RE: JAMES A. RHODES,
Governor,
State of Ohio;
ET AL

[REDACTED] VICTIM

On August 26, 1978, the following communication was
received from [REDACTED] Inmate, Southern Ohio
Correctional Facility (SOCF), Lucasville, Ohio:

b6
b7C

44-2406-9
Searched
Serialized
Indexed
Filed

4-Bureau

1-USA, Cincinnati, Ohio
1-Cincinnati (44-2406)

RMM:pl
(6)



FBI

TRANSMIT VIA:

☐ Teletype
☐ Facsimile
☒ AIRTEL

PRECEDENCE:

☐ Immediate
☐ Priority
☐ Routine

CLASSIFICATION:

☐ ~~TOP SECRET~~
☐ ~~SECRET~~
☐ ~~CONFIDENTIAL~~
☐ ~~UNCLAS E F T O~~
☐ UNCLAS

Date 9/5/78

To: Director, FBI

ATTENTION:

CRIMINAL INVESTIGATIVE DIVISION

☒ CIVIL RIGHTS SECTION
☐ DOMESTIC SECURITY AND
 TERRORISM SECTION
☐ PERSONAL AND PROPERTY
 CRIMES SECTION

From: SAC, CINCINNATI (44-2406) (C)

Subject: JAMES A. RHODES,
 Governor,
 State of Ohio;
 ET AL;

[REDACTED] - VICTIM

☒ CR ☐ EL ☐ DIH ☐ CRA-64
☐ DAMV ☐ PA ☐ EE ☐ PF ☐ E
☐ EID ☐ Bomb Threats ☐ CAA ☐ AP ☐ IWFC ☐ CWAA ☐ FI

Summary of Complaint:

Victim furnished a letter dated 8/21/78, to the Cincinnati Division, requesting an interview with a Special Agent of the FBI in order to discuss harassment and obstruction of justice in violation of Title 18, Section 1503, United States Code. It is noted that the above mentioned letter is a followup to victim's previous complaint alleging racial discrimination, a lack of privileges and physical assaults by guards at the Southern Ohio Correctional Facility located at Lucasville, Ohio.

INDICES: ☐ Negative ☒ See Summary

ACTION: UACB:

2-Bureau (Enc. 4)
 1-Cincinnati

RMM:pl
 (3)

☒ No further action being taken and
☒ LHM enclosed
☐ FD-376 (Enc. to LHM)
☐ LHM being submitted
☐ Report being submitted
☐ Preliminary investigation instituted
☐ Limited investigation instituted
☐ Investigation continuing

☒ Copy to: ☒ USA, Cincinnati, Ohio
☐ Secret Service
☐ ATF

FILE STRIPPED

Date 9/6/78 Initials Bm

44-2406-10
 Searched
 Serialized
 Indexed
 Filed

Approved: _____

Transmitted _____

(Number)

(Time)

Per _____

FBI/DOJ

b6
 b7C

CI 44-2406

By separate communication, the Cincinnati Division is acknowledging receipt of victim's letter and advised victim to direct any further inquiries concerning this matter to the Civil Rights Division, United States Department of Justice, Washington, D. C.

UACB, Cincinnati is holding investigation concerning victim's harassment and obstruction of justice in violation of the above mentioned code in abeyance pending review of enclosed document by the Civil Rights Division, United States Department of Justice, Washington, D. C.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

[REDACTED] ET. AL.)
PLAINTIFFS)
- VS -)
JAMES A. RHODES, ET. AL.)
DEFENDANTS.) CASE NO. _____
JUDGE _____

b6
b7c

MOTION TO PROCEED IN FORMA PAUPERIS

I, [REDACTED] BEING FIRST DULY SWORN, DEPOSE AND SAY THAT I AM THE PLAINTIFF IN THE ABOVE-ENTITLED CAUSE: THAT IN SUPPORT OF MY MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS, I STATE THAT I AM INDIGENT, THEREFORE UNABLE TO PREPAY THE COST, NOR ABLE TO AFFORD LEGAL COUNSEL FOR THIS CIVIL PROCEEDING: THAT THIS CAUSE IS BEING SUBMITTED IN GOOD FAITH, AND I BELIEVE MY CAUSE TO BE MERITORIOUS. THAT I BELIEVE I AM ENTITLED TO REDRESS; IN ACCORDANCE WITH TITLE 42 U.S. CODE, SECTIONS 1981, 1983, 1985, 1986 and 1988 and TITLE 18, FOR THE PROTECTION OF ALL PERSONS IN THE UNITED STATES IN ENJOYMENT OF THEIR HUMAN AND CIVIL RIGHTS. ALSO IN ACCORDANCE WITH TITLE 28 U.S.C.A. 1331, 1343 (3,4).

I FURTHER SAY, THAT I AM SEEKING RELIEF IN THIS HONORABLE COURT ON QUESTIONS INVOLVING VIOLATIONS AND INFRINGEMENT OF SUBSTANTIAL CONSTITUTIONAL AND HUMAN RIGHTS GUARANTEED TO PLAINTIFF BY THE PREAMBLE, FIRST, EIGHT, NINTH, AND FOURTEENTH AMENDMENTS OF THE UNITED STATES.

THAT THE ISSUES I SEEK TO PRESENT WILL APPEAR MORE FULLY HEREAFTER IN THE ATTACHED COMPLAINT. ,FURTHER, I STATE THAT I AM NOT AN ATTORNEY, NOR A MEMBER OF ANY LEGAL BAR, BUT ONLY A CITIZEN AND LAYMAN IN MY OWN BEHALF AND THOSE SIMILARLY SITUATED.

